Attachment to Independent Case Review Report for CDRU # <u>130</u> Case File # <u>95-265594</u>.

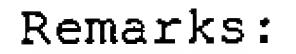
Material Examiner <u>Malone (RQ)</u>

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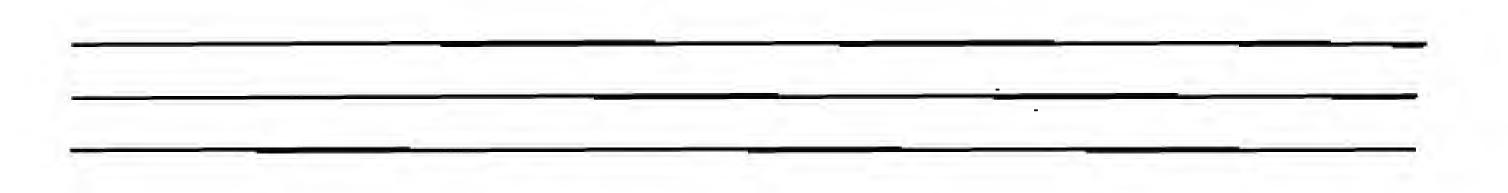
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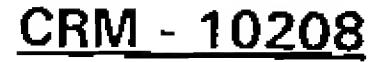
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	INDEPENDENT (CASE REVIEW F	REPORT	
Independent Review co	onducted by: $5760e$	ROBERTSON		
-	HAIR AND FIRERS			
	: <u>// :00 A</u> (Time), <u>5</u>			
File #: $95-c$	265594			
Laboratory #(s):	50221054	5100303	2	
·	50326053			
_5	50515012			
	Examin	er(s) & Symbols		
	Reviewed Not Reviewed		Reviewed	Not Reviewed
RQ		• 		
WZ	¤	•	C	
LK	C 🕺			D
	Mater	rials Reviewed		
Frist testimony transcri	ipt(s) of: <u>MICHAEL</u>			
.aboratory Report(s):				
	50515012 umber: <u>50221054 5</u>	0326053 Date:	8-7-85	•
	umber: <u>57003032</u>	-	12-10-8	
Laboratory N	minet. <u>J/00303#</u>		10-10-8	2

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Laboratory Number: DORA1054 Laboratory Number: 50326053 Laboratory Number: <u>505/5012</u> <u>51003032</u> • Page <u>1</u> of <u>4</u> Initials: <u>Suc</u> <u>CRM - 10209</u>

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No No Was any other material reviewed? U Yes If yes, please identify and/or describe the material: **Results of Review** File#: <u>95-265594</u> Item or Specimen # Reviewed: Q1, Q2, Q5, Q22, K3, K6, K7Review of Laboratory Report(s) and Bench Notes: Note: Numbered comments are required below or on

additional pages for any "No" or "Unable to Determine" Responses

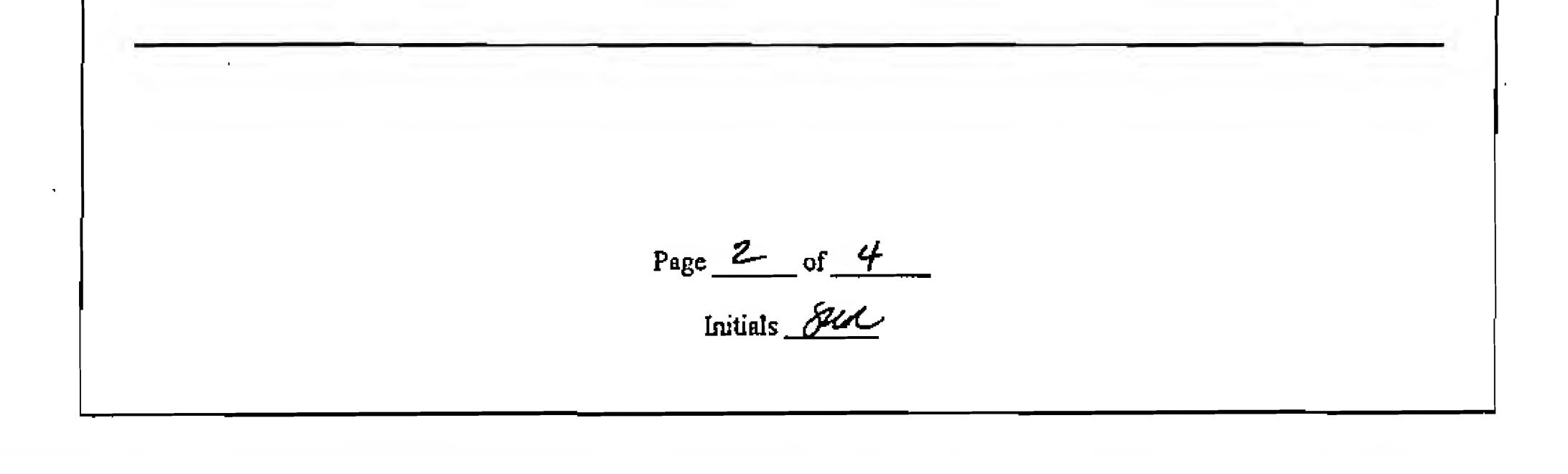
- Did the examiner perform the appropriate tests in a scientifically acceptable manner, based on the methods, protocols, and analytic techniques available at the time of the original examination(s)?
 UYes INO X Unable to Determine
- 2) Are the examination results set forth in the laboratory report(s) supported and adequately documented in the bench notes?

Review of Testimony:

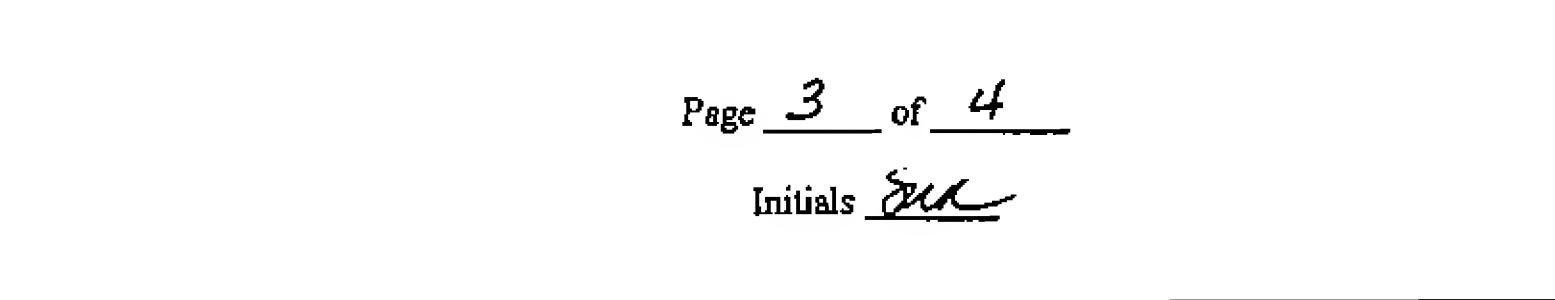
Note: Numbered comments are required below or on additional pages for any "No" or "Unable to Determine" Responses

- □ Transcript not available.
- 3) Testimony consistent with the laboratory report(s)?
- 4) Testimony consistent with the bench notes?
- 5) Testimony within bounds of examiner's expertise?

🛛 Yes	⋈ No	Unable to Determine
🗆 Yes	¢ (No	Unable to Determine
D Yes	χNo	Unable to Determine

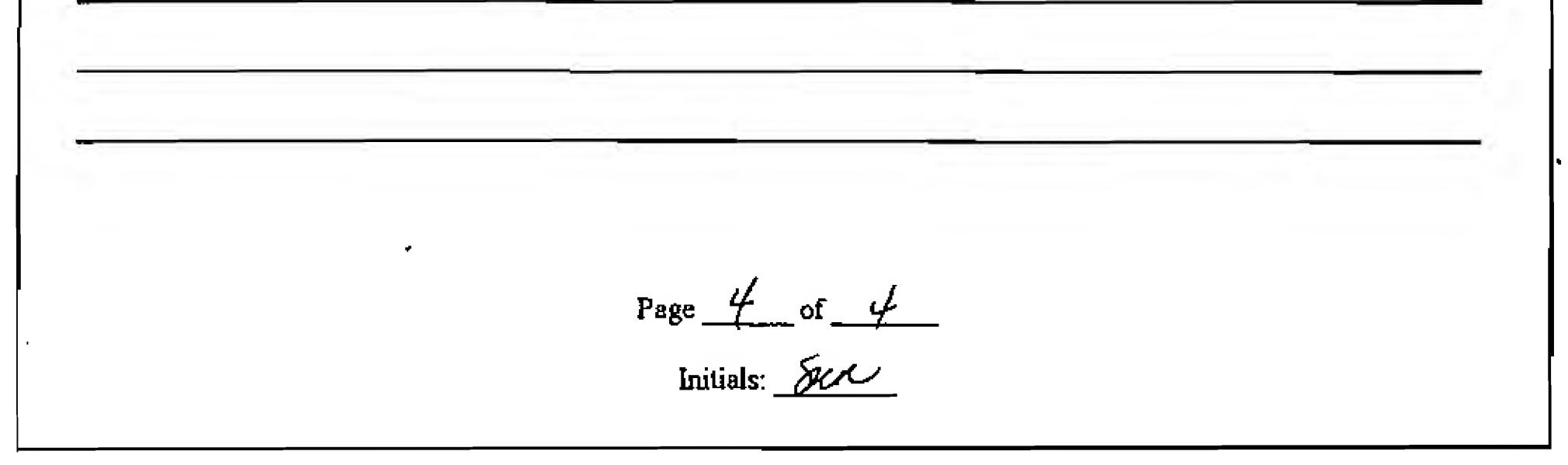


45-265594 Comments (Set forth by above question #, if applicable. Use "Additional Comments" Sheet, if needed) HAIR COMPARISON WAS PERFORMED BUT THERE IS INSUFFICIENT DOCUMENTATION TO DETERMINE IF TESTS WERE DONE IN A SLIENTIFICALLY ACCEPTABLE MANNER, #2. KESULTS IN THE LABORATORY REPORT ARE INADEQUATERY DOLUMENTED IN THE BENCH NOTES. NOTES ARE NOT DATED: REVIEWER IS UNABLE TO INTERPRET EXAMINER'S NOTES DUE TO HIS USE OF ABBREVIATIONS, NO DOCUMENTATION OF THE NLETS COMMUNICATION OR THE TELEPHONE CALL TO THE SUBMITTING AGENCY, AS DESCRIBED *i* (IN THE REPORT, WAS FOUND. #3. EXAMINER TESTIFIED THAT HAIR MUST HAVE AT LEAST IS CHARACTERISTICS TO HAVE VALUE FOR COMPARISON. THIS HAS NO SCLENTIAL BASIS KNOWN TO THIS REVIEWER. Review completed at: 5:15P (Time), 5/18/99 (Date) . Total time spent conducting review (to nearest 1/4 hour): <u>512 Hour</u> I hereby certify that I conducted this review in an independent, unbiased manner and that the results of my review are \cdot fully documented on this report consisting of a total of _____ pages. 5-18-99 (Date) (Signature)



Additional Comments (Set forth by question #, if applicable) IN RESPONSE TO THE QUESTION WHAT PERCENTAGE OF THE NEERO POPULATION WOULD HAVE HAIRS WITH ALL ZO OF THESE CHARACTERISTICS EXAMINER TESTIFIED ONE IN 5,000". THE SAME ANSWER WAS GIVEN SO THE SAME QUESTION CONCERNING CAUCASIAN HAIR. (See p 243-248) WHILE THE EXAMINER BASES HIS ANSWER ON HIS EXPERIENCE, THERE HAS, NO PUBLISHED SCIENTIFIC STUDY TO CONFIRM THIS. IN FACT, THE ONLY QUALISH STUDY AND CRAINE PARADULE AS INC. A HAVE MATCH HAS

FUDUDATED STUP CONCERNING REDADICITY OF T THIS MATCH HAS
BEEN CRITICIZED AND DEBATED AND DOES NOT HAVE THE
SUPPORT OF THE FORENSIC COMMUNITY.
THE EXAMINER TESTIFIED THAT HE ESTIMATES THE PROBABILITY
OF A TWO WAY HAIR TRANSFER MATCH AT 1 IN 25,000,000. THIS
15 IN CONTRAST TO THE REPORTED RESULTS OF "CONSISTENT WITH"
AND TO HIS PREVIOUS TESTIMONY, AND GIVES WEIGHT TO THE
HAIR COMPARISONS WITHOUT SCIENTIFIC SUPPORT
#4. SAME COMMENTS AS #3
#5. ON p. 248-249 OF THE TRANSCRIPT, EXAMINAR SAYS HE'S NOT AN
EXPERT ON STAST STATISTICS BUT ESTIMATES PRUBABILITY OF THIS TWO WAY
HAIR TRANSFER MATCH AT IN 25,000,000.



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